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Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/516,646	08/18/95	TUCK	D IECO-B8157

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LM41/0511

EXAMINER
THOMAS, J

ART UNIT	PAPER NUMBER
2747	24

DATE MAILED:

05/11/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

LM41/0511

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/516,646	08/18/95	024	THOMAS, J 2747	05/11/99
First Named Applicant	TUCK, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION: APPARATUS AND METHOD FOR TRADING ELECTRIC ENERGY

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3	IECD-B8157	705-037.000	S99 UTILITY	NO	\$1210.00	08/11/99

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

**I. Review the SMALL ENTITY status shown above.**

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

## Notice of Allowability

Application No.  
**08/516,646**

Applicant(s)  
**TUCK, et al.**

Examiner  
**JOSEPH THOMAS**

Group Art Unit  
**2747**



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to amendments filed 2/24/99 and 5/5/99.

☒ The allowed claim(s) ~~are~~ 16-39, now renumbered 1-24.

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 11.

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

**EXAMINER'S REASONS FOR ALLOWANCE**

(Attachment to Paper # 24)

***Reasons for Allowance***

1. The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record fails to teach or fairly suggest, either singly or in combination, a method for selling a quantity of electrical energy between two participants by connecting the participants to a database display, consummating a transaction between the participants, and curtailing the transaction between the participants, in the specific manner and combinations recited in independent claim 16 (now renumbered claim 1), and wherein the transaction curtailment process is as specifically described at page 28, line 1 to page 36, line 1 of the specification. The prior art of record also fails to teach or fairly suggest, either singly or in combination, a method for selling a quantity of electrical energy between two participants comprising the steps of computing a performance index associated with a reliability for either participant and of displaying a reliability indicator associated with any offer to sell electric energy, in the specific manner and combinations recited in independent claim 17 (now renumbered claim 2), and in the manner described in detail

at pages 19-20 of the specification. The prior art of record also fails to teach or fairly suggest, either singly or in combination, a method for selling a quantity of electrical energy between two participants, comprising the steps of displaying a price for next hour offers; displaying next hour offers during the current hour; and stopping the consummation of next hour transaction at a predetermined time during the current hour, in the specific manner and combinations recited in independent claim 18 (now renumbered claim 3). The prior art of record also fails to teach or fairly suggest, either singly or in combination, a method or data processing system for facilitating the trading of electrical energy units between buyers and sellers and comprising the steps of (or means for) storing a list of transaction conditions, including a first parameter which indicates a limit on an electrical energy unit transmission capacity and a second parameter indicative of a contractual agreement between the buyer(s) and the seller(s), and facilitating the trade (i.e., consummating the transaction) only when the stored transaction conditions are satisfied, in the specific manner and combinations recited in independent claims 19 and 31 (now renumbered claims 4 and 16, respectively).

Claims 20-30 and 32-39 (now renumbered claims 5-15 and 17-24 respectively) incorporate the novel and non-obvious features of independent claims 19 and 31 (now renumbered claims 4 and 16,

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respectively), through dependency, and likewise distinguish over the prior art of record.

Any comments considered necessary by Applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**2. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-9051, (for formal communications intended for entry)

**Or:**

(703) 305-5356 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

**3.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Thomas, whose telephone number is (703) 305-9588. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 5:00 PM. The examiner can also be reached on alternate Fridays.


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If attempts to reach the examiner are unsuccessful, the examiners' supervisor, Forester W. Isen, can be reached at (703) 305-4386.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

jt  
May 5, 1999

  
**Joseph Thomas**  
**Primary Examiner**  
**Art Unit 2747**